

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Plaintiff,

v.

AMBAC ASSURANCE CORPORATION, *et al.*,
Defendants.

Adv. Proc. No. 20-00003-
LTS

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801).

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
THE COMMONWEALTH OF PUERTO RICO,
Plaintiff,
v.
AMBAC ASSURANCE CORPORATION, *et al.*,
Defendants.

Adv. Proc. No. 20-00004-
LTS

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
THE COMMONWEALTH OF PUERTO RICO,
Plaintiff,
v.
AMBAC ASSURANCE CORPORATION, *et al.*,
Defendants.

Adv. Proc. No. 20-00005-
LTS

**DEFENDANTS' UNOPPOSED URGENT MOTION FOR LEAVE TO EXCEED
PAGE LIMIT WITH RESPECT TO MOTION TO COMPEL IN
REVENUE BOND ADVERSARY PROCEEDINGS**

To the Honorable United States Magistrate Judge Judith Gail Dein:

Defendants,² by and through their undersigned counsel, hereby move unopposed on an urgent basis for leave to file a motion to compel (“Motion to Compel”), described in the *Joint Status Report Regarding Discovery in the Revenue Bond Adversary Proceedings* (ECF No. 15889),³ that exceeds the fifteen (15) page limit of Judge Dein’s standing order. Defendants respectfully request entry of an order, substantially in the form attached hereto as **Exhibit A**, extending to a total of thirty (30) pages the page limit for Defendants’ Motion to Compel.

Defendants respectfully state as follows:

1. On February 26, 2021, the Parties filed the *Joint Status Report Regarding Discovery in the Revenue Bond Adversary Proceedings* (ECF No. 15889) proposing that Defendants would file a motion to compel concerning discovery issues as to which the Parties have thus far reached impasse on March 3, 2021. The Court accepted this proposed schedule in its *Order Setting Briefing Schedule* (ECF No. 15891).

2. Given the complexity of the underlying discovery dispute and the fact that six individual Defendants are jointly pursuing relief with respect to three different Summary Judgment Motions in three separate Adversary Proceedings, Defendants respectfully request that this Court extend the page limit to permit Defendants to file a single brief of thirty (30) pages—*i.e.*, fifteen (15) pages over the fifteen (15)-page limit set forth in Local Civil Rule 7 made applicable here by Section 3.a. of this Court’s *Second Amended Standing Order* as applying to all page-limit and

² Capitalized terms not defined herein shall have the meanings ascribed to them in the *Joint Status Report Regarding Discovery in the Revenue Bond Adversary Proceedings* (ECF No. 15889).

³ Unless otherwise indicated, all ECF numbers referenced herein refer to the docket in Case No. 17 BK 3283-LTS.

format specifications, (ECF No. 8037 at 2)—exclusive of the cover page, table of contents and authorities, signature pages, exhibits, and relevant certificates.

3. Defendants respectfully submit that this page extension is necessary to allow adequate discussion of the current underlying ripe discovery disputes.

4. Further, the Motion to Compel includes arguments from six Defendants and concerns discovery disputes that span three different Summary Judgment Motions in three separate Adversary Proceedings. Rather than submitting three different briefs, one in each Adversary Proceeding, of 15 pages each (a total of 45 pages of briefing), Defendants believe the issues could be more efficiently presented in a single 30-page brief.

5. The Government has informed Defendants that it does not oppose the request.

WHEREFORE, Defendants respectfully request that the Court enter an order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and granting any such other relief as the Court deems just and proper.

**Certificate of Compliance with
Local Rule 9013-1 and Fourteenth Amended Case Management Procedures**

Pursuant to Local Rule 9013-1 and ¶ 1.H. of the *Fourteenth Amended Notice, Case Management, and Administrative Procedures*, the undersigned counsel hereby certify that they have (a) carefully examined the matter and concluded that there is a true need for an urgent decision; (b) not created the urgency through any lack of due diligence; and (c) made reasonable, good-faith communications in an effort to resolve or narrow the issues before the Court.

Dated: March 2, 2021
San Juan, Puerto Rico

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CERTIFICATE OF SERVICE

I hereby certify that on this same date a true and exact copy of this notice was filed with the Clerk of Court using the CM/ECF system, which will notify a copy to counsel of record.

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